



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

Agenda

Meeting of October 31, 2006

9:00 a.m., Commission Offices, 242 State Street, Augusta, Maine

NEW BUSINESS

1. Missing "Paid for" Disclosure in Automated Telephone Calls/John Eder

Rep. John Eder is running for re-election in House District #118. Rep. Eder's campaign paid for automated telephone calls urging his re-election using the voice of the president of the Maine chapter of the National Organization of Women. Under 21-A M.R.S.A. §1014(5), the automated telephone calls were required to "clearly state the name of the person who made or financed the expenditure for the [calls]." Rep. Eder has responded by e-mail that he was unaware of the requirement. *Staff recommendation: the staff recommends that the Commission find Rep. Eder in violation of Section 1015(5) and assess a civil penalty of \$100.*

2. Request for Matching Funds/Marge Medd

As a result of an independent expenditure report filed by the Oxford County Democratic Committee in support of candidate Marge Medd, the Commission paid \$1,786.78 in matching funds to Sen. David Hastings. At its October 20 meeting, the Commission found that the matching funds payment was made in error because the Oxford County Democratic Committee had not expressly advocated the election of Marge Medd. She now asks for a corresponding amount of matching funds to equalize the imbalance.

3. Complaint by Rep. Ian Emery against Harold Prescott

Rep. Ian Emery has filed a two-part complaint against his opponent, Harold Prescott. He complains that Mr. Prescott's campaign has used different committee names, and has made false statements about Rep. Emery's record as a Legislator.

4. Request for Waiver of Late Filing Penalty/Kennebec County Democratic Cmte

Because it raised more than \$1,500 this year, the Kennebec County Democratic Committee was required to file a campaign finance report on July 15 for the first half of the year. The report was filed 85 days late on October 10. The preliminary penalty amount is \$500. Treasurer Linda McKee requests a waiver of the penalty.

5. Complaint/Democratic Governors Association and Baldacci Campaign

The Merrill for Governor campaign filed a complaint inquiring whether the Democratic Governors Association (DGA) has made a contribution to the Baldacci re-election campaign by paying for services of consultant Pat Eltman that allegedly were supplied to the Baldacci campaign. It also inquires whether the DGA has made expenditures for advertising through the Maine Democratic Party that were coordinated with the Baldacci campaign through Pat Eltman. Prior to the filing of the complaint, the Commission staff requested information from the Baldacci campaign and Ms. Eltman on this issue.

6. Request for Waiver of Late Filing Penalty/Maine College Republicans PAC

The Maine State College Republican Organization registered as a political action committee (PAC) on August 1, 2006. PACs are required to file reports electronically on the Commission's website by entering information manually or by uploading the information in a specific excel format. The Commission staff mailed e-filing instructions to the PAC and offered it an opportunity for personal training on the e-filing system on September 29 at the Maine State Library. The PAC apparently got a late start attempting to upload the information and experienced technical difficulties. Its first report was filed two days late on October 12. The amount of the preliminary penalty is \$721.96 based on the statutory formula. The PAC requests a waiver of the penalty. *Staff recommendation: the staff recommends assessing the statutory penalty of \$721.96 because the PAC first asked for its e-filing password at 3:30 p.m. on the filing deadline.*

7. Request for Investigation/Maine State College Republican Organization PAC

The Maine College Democrats have filed a request for an investigation regarding the Maine State College Republican Organization PAC. It inquires whether Nate Walton, a paid organizer for the Woodcock for Governor campaign, may also serve as the chair of the PAC. The request suggests that the PAC has made expenditures to Nate Walton and others that have been coordinated with the Woodcock campaign. Nate Walton has responded that none of the reimbursements he or others received were related to events for the Woodcock campaign. *Staff recommendation: unless the College Democrats can produce more persuasive evidence that PAC expenditures that were coordinated with the campaign, the staff recommends taking no action on the complaint.*

8. Request for Investigation/Maine College Democrats

The Maine State College Republican Organization has filed a request that the Commission consider whether the Maine College Democratic organization was required to register and file reports as a political action committee.

9. Meeting Dates

The Commission staff inquires whether to hold the next meeting on November 20 or 28. It suggests a meeting during the following month on December 12.

10. Request for Investigation/Maine Heritage Policy Center

Carl Lindemann has filed a request that the Commission consider whether the Maine Heritage Policy Center is required to register as a PAC or file financial reports regarding its work related to the Taxpayer Bill of Rights (TABOR) initiative.

Other

Miscellaneous as needed.

EXECUTIVE SESSION

If necessary

ADJOURNMENT